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UNCLAS SECTION 01 OF 04 LAGOS 000482

SIPDIS

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STATE FOR AF/W
STATE FOR INR/AA
STATE FOR G/DRL
DOE FOR CAROLYN GAY
WARSAW FOR LISA PIASCIK
CIUDAD JUAREZ FOR DONNA BLAIR
ISTANBUL FOR TASHAWNA SMITH
SAO PAULO FOR ANDREW WITHERSPOON

E.O. 12958: N/A

TAGS: [PGOV](#) [PHUM](#) [ELAB](#) [KIRF](#) [NI](#)

SUBJECT: SOUTHERN NIGERIA HUMAN RIGHTS UPDATE THROUGH JUNE 2007

REF: LAGOS 337

LAGOS 00000482 001.2 OF 004

11. (U) This is a roundup of recent incidents representative of the human rights situation in southern Nigeria. This summary is organized according to the sections of the annual Human Right Report.

Section 1 - Respect for the
Integrity of the Person

a. Arbitrary or Unlawful Deprivation of Life

12. (U) On March 28, Matthew Mato from Benin City was reportedly killed in a prison in Abuja by police seeking to restore order. Mato, a former mobile policeman, was in prison for masterminding the heist of an Abuja bank in December 2005, but he maintained that his confession to the crime was obtained through torture.

13. (U) The nongovernmental organization (NGO) Human Rights and Justice Organization asked the Anambra State government to investigate the July 2006 death of Chioma Uwa. The NGO reported Uwa was killed in the cross-fire between a joint army/police patrol and vigilantes during a sweep of Onitsha.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

14. (U) Amnesty International reported an attack in Port Harcourt on May 19 against the family of Bari-ara Kpalap, a staff member of the Movement for the Survival of the Ogoni People (MOSOP). According to the report, four unidentified men broke in the Kpalap home searching for Bari-ara. These attackers hit the children and bruised Bari-ara's wife, Baridi, before departing with a warning they would return.

15. (U) Ethel Godson, a resident of Mbano local government in Imo State, claimed harassment by police in search of her

husband, who is an official in the Movement for the Actualization of the Sovereign State of Biafra (MASSOB). Godson claimed the police had burned their house and she had not seen her husband since October 2005.

¶16. (U) On March 30, the Supreme Court in a unanimous decision on the case of Bayo Johnson v Lagos State, upheld the determination of the Lagos High Court that the holding charge was legal and constitutional. The holding charge or remand proceeding allows the police to hold a suspect pending the conclusion of an investigation and filing of charges. The NGO Human Rights Law Service (HURILAWS), which assisted Johnson in filing his brief, agreed that the court came to a reasoned conclusion. However, HURILAWS criticized the law's abuse by law enforcement, which it said often committed prisoners to long periods without trial and this has led to the overcrowding crisis in the nation's prisons.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

¶17. (U) The NGO Center for Victims of Extra-Judicial Killings and Torture (CVEKT) asked Inspector General of Police Sunday Ehindero to launch an inquiry into the alleged police attack on the villages of Amaruru and Ihetenansa in Imo State. The CVEKT reported that on January 24, police killed a man for refusing to pay a bribe. After incensed villagers set the local police station ablaze, the next day the police arrived with reinforcements and razed 100 homes.

¶18. (U) On June 14, The Police and Community Relations Committee (PCRC) in Ilupeju, Lagos State, marked the opening of a new office. The PCRC was created a decade ago to influence the police force to be more humane in its dealings with the community. According to news reports, the Ilupeju Police Division has won five awards as the best police

LAGOS 00000482 002.2 OF 004

station in Nigeria.

Section 2 - Respect for Civil Liberties

a. Freedom of Speech and Press

¶19. (U) The Media for Democracy (MFD) in Nigeria condemned the May 1 police attack in Akure on cameraman Dare Folorunso of the Ondo State Radiovision Corporation, who was attempting to film political protests against the election during the Workers' Day Celebration. Reports cited Assistant Police Commissioner Joshua Mumbo as leading 10 policemen in the attack. Ondo State Nigerian Union of Journalists Chairman Dele Atunbi also condemned the action, calling it a confirmation of the Nigerian Police Force's "flagrant disregard for human rights".

¶10. (U) In celebration of World Press Freedom Day on May 3, the MFD condemned the refusal of President Obasanjo to sign the Freedom of Information Bill (FOIB) and called for his immediate signature. Former United Nations High Commissioner for Refugees Eduardo Cue, speaking at a tele-conference at the U.S. Consulate in Lagos, said passing the FOIB would help curb corruption and give credence to democracy in Nigeria.

¶11. (U) Reporters without Borders (RWB) reported journalist Adeola Balogun had received death threats after publishing an article in the May 22 edition of The Punch detailing a possible case of baby theft.

¶12. (U) On May 23, political thugs in Ibadan halted programming by the radio Broadcasting Corporation Service (BCOS) of Oyo State. The attack was believed to be instigated by Governor-elect Adebayo Alao-Akala and his political patron Lamidi Adedibu, in their attempt to halt the Local Government Council (LGC) elections declared by Governor

Rashidi Ladoja. Attackers macheted 10 employees and forced the others to flee, after which the thugs vandalized the station equipment and antenna.

¶13. (U) RWB condemned the arrest warrants for Osun Defender editor Kola Olabisi, reporter Sola Jacobs, and human rights activist Amitolu Shittu. Judge Jide Falola issued the warrants after a report in the paper accused the judge of releasing demonstrators in exchange for bribes.

b. Freedom of Peaceful Assembly and Association

¶14. (U) On the May 29 Inauguration Day, police arrested six human rights activists in Lagos after they carried a coffin to mark the death of the regime of President Olusegun Obasanjo. The activists were members of the Labor and Civil Society Coalition (LASCO). In Edo State, the National Labor Congress (NLC) reported the police firing to disperse the crowd and arresting seven protesters. The police arrested demonstrators in Ibadan attempting to protest the inauguration of the Oyo State governor, and dispersed a group attempting a similar protest in Abeokuta against the inauguration of the Ogun State governor.

Section 3 - Respect for Political Rights:
Citizens' Right to Change Their Government

¶15. (U) Human Rights Watch (HRW) observers in Rivers and Anambra states condemned the April elections as marred by fraud, intimidation, and violence. HRW reported open rigging and violence being used to frighten voters. In its report, HRW called for the vote to be re-run in all states where the "rights of voters have been systematically violated."

¶16. (U) On April 26, a coalition of 17 civil society groups

LAGOS 00000482 003.2 OF 004

called on the Economic and Financial Crimes Commission (EFCC) to investigate the expenditures of the Independent National Electoral Commission (INEC). In its statement, the groups cited the need for an investigation in order to "enable Nigerians to understand how resources earmarked for the elections were expended, given the widespread condemnations which greeted the results."

¶17. (U) On May 2, Action Congress (AC) Osun State gubernatorial candidate Rauf Aregbesola accused the police of arresting over 200 of his supporters on trumped-up charges.

¶18. (U) On May 10, in an attempt to halt LGC elections, political thugs associated with Adedibu and Akala stormed the offices of the Oyo State Independent Electoral Commission (OYSIEC), destroying election materials. The police arrested 10 suspects, including the Deputy Governor-elect, Taofik Arapaja, but no charges had been filed.

¶19. (U) On May 10, the Abuja High Court granted Democratic People's Party gubernatorial candidate Ovedje Ogboru permission to institute a case against Inspector General of Police (IGP) Sunday Ehindero. Ogboru planned to protest an order for his arrest issued by Ehindero, claiming it was an attempt to prevent him from filing a petition to the electoral tribunal. Twenty other plaintiffs were also granted permission to ask the court to release them from detention.

¶20. (U) Additional information about the April 2007 election can be found in mission cables.

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Section 4 - Government Attitude Regarding International and
Nongovernmental Investigation of Alleged Human Rights
Violations
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¶21. (U) The International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, a UN body, chose to defer the re-accreditation of Nigeria pending fulfillment of its pledge to investigate the removal of the Executive Secretary of its National Human Rights Commission (NHRC), Bukhari Bello. The body asked the GON to provide it with documents concerning the appointment and dismissal of members of the commission as well as evidence the NHRC has continued to address human rights violations since Bello's removal on June 19 of last year.

Section 5 - Discrimination, Societal
Abuses, and Trafficking in Persons

¶22. (U) In April, Foreign Minister Joy Ogwu chaired the signing ceremony for the United Nations Convention on the Rights of Persons with Disabilities. Ogwu said the National Assembly, in conjunction with the Convention, was in the process of finalizing a disability law to guarantee the rights of the disabled.

¶23. (U) On May 1, the police arrested two young men in Uro-Irri, Delta State, who are believed to be connected to a human trafficking syndicate based in Libya. The two men reportedly facilitated the transport of a young woman from Uro-Irri to Qibya, and demanded 1 million naira (approximately \$8,000) to assist in her return.

¶24. (U) On May 23, police in Port Harcourt tear-gassed 25 physically disabled protesters outside the Rivers State Government House. The delegation was seeking an audience with Governor Peter Odili to discuss issues of the disabled who reside in Rivers State.

¶25. (U) BAOBAB for Women's Human Rights representative

LAGOS 00000482 004.2 OF 004

Mufuliat Fijabi, speaking at a forum in Ibadan, spoke of the need to campaign to address the issue of violence against women in Nigeria. Fijabi called on the National Assembly to pass the Bill to end Violence Against Women.

Section 6 - Workers Rights

¶26. (U) The International Labor Organization (ILO) reported over 6,000 children engaged in labour had been rehabilitated in Nigeria and Ghana between 2004 and 2006. The ILO said this was part of the U.S. Department of Labor-funded International Programme on the Elimination of Child Labour to Combat Child Trafficking in West Africa. ILO Director General Juan Somavia said that in Nigeria, the number of children repatriated internally were 99 male and 151 female; while 39 male and 71 female were repatriated outside Nigeria.

Comment

¶27. (SBU) It is uncertain what priority the Umaru Yar'Adua administration will place on human rights. Yar'Adua could signal a new commitment by the government to human rights by signing the FOIB. A quick passage, followed by a genuine effort to reform the police and the desultory court process would also gain support from the Nigerian public, which dreads dealing with all facets of law enforcement. The record of the police could be improved over time by promoting community policing and the need to be more accountable to the public. In addition, the courts have a role in reform by prosecuting human rights violators through a more efficient judicial process.

